

# **Panish-Hall Conservation Easement Access Management Plan**

## **1. Introduction**

In Summer of 2020, with the help of various conservation grant commitments, the Town of Barrington purchased two parcels of land, known as the Haley Properties (Map 249, Lot 18 and Map 240, Lot 7), to expand and enhance the Goodwill Conservation Area. These funding grants were contingent on obtaining an easement to access the Haley Properties through the Panish-Hall Property (Map 249 Lot 19). The Town agreed to fund and own a conservation easement on a portion of the Panish-Hall Property (the Property) in return for this grant of access.

The aim of this document is to set out a management plan for the portion of the Panish-Hall Conservation Easement containing the Access (and parking) Easement for access to the expanded areas of the Goodwill Conservation Area. It is not the intent of this document to act in any way as a Recreation or Forest Management Plan for the Goodwill Conservation Area.

## **2. Access Easement Description**

The Access Easement is located primarily in the Lower Field at the southern corner of the Property as show in the Panish-Hall Easement Plan (see Appendix). In its final form it will consist of a Forest Road/Trail (the Road) along the boundary with the Hashem Property (Map 249, Lot 17), with its southern terminus in a small four space head-in parking area along the Right of Way to the property of the John Canney Trust (Map 249, Lot 20).

From the parking area the Access Easement for the Road proceeds northwest along the Property boundary adjacent to the Hashem driveway, through an area that is currently an overgrown hedge of invasive species, merging with a historic ‘cart-path’ Right of Way where it crosses into the Haley Property, now part of the Goodwill Conservation Area.

## **3. Access Easement Rights**

The Panish-Hall Conservation Easement sets forth terms, restrictions, and reserved rights with respect to the Property, and establishes a framework for administering public access rights acquired by the Town. These rights pertain specifically to recreation and forest management access to the Goodwill Conservation Area through the Access Easement.

All management actions on the Panish-Hall Access Easement, as implemented through this Management Plan, will be conducted in accordance with the easement terms, and will consider and strive to be consistent and compatible with the reserved rights of the Landowner. Permitted public and recreational activities are designed to have limited impacts on the natural resources, and on the Landowner’s management and enjoyment, of the Property.

### **A. Access**

The Town has the right to construct and maintain a road and parking area as shown in the Easement Plan.

The parking area shall consist of 4 spaces, of total length 36 ft. and depth 18 ft. immediately fronting the section of road crossing the 50' ROW to Lot 249-20. The parking area shall be bounded to distinguish it from the remainder of the field and to constrain vehicles from parking outside the allocated area.

The Road, which shall also serve as recreation access to the Goodwill Conservation Area, shall begin at the rear Western side of the parking area starting at a width of 18 feet and tapering to a width of 12 feet to allow for the turning radius of timber transport vehicles. Near the northeast corner of the Lower Field, the new roadway would merge with the existing 'cart-path' R.O.W. and continue onto the Town's land.

Creating the Road will require the cutting/removal of the invasive species, stumping/rocking the roadway, and the addition of gravel with a fabric underlayment as necessary.

The goals in constructing this roadway shall be to:

- Provide a forestry management and maintenance access to the Town owned Goodwill Conservation Area.
- Keep heavy truck traffic off the Hashem driveway as much as possible.
- Remove the invasive species from the area along the boundary line and create the ability to control such species by mowing as they re-sprout.
- Clearly define the recreational and management access onto the Town's land, and provide distance from the Hashem residence.

## **4. Access Management**

### **A. Public Uses**

#### **i. Recreation Access**

Recreation Access is to be used as a mean of access to the Goodwill Conservation Area only. No recreational or service facilities such as picnic areas or lavatories shall be provided on the Access Easement. The only exception to this may be a trash receptacle in the event it is needed. Any such receptacle will need to be visually unobtrusive and maintained by the Town.

No recreational motorized vehicle access to the Goodwill Conservation Area shall be allowed through the Panish-Hall Access Easement. This specifically precludes, but is not limited to, the use of:

- Off Road Vehicles
- All Terrain Vehicles
- On/Off-Road Motorcycles/Dirt Bikes

- Snowmobiles
- Passenger vehicles/cars
- Trucks

## **ii. Forestry/Management Access**

The primary use of the Forest Road, other than for recreational access, is to allow for forest management activities to access to the Goodwill Conservation Area as outlined in the “Forest Stewardship Plan prepared for the Town of Barrington’s Goodwill Conservation Area”. The Road shall be constructed to support tractor trailer access for timber harvesting to a landing area in the Goodwill Conservation Area.

The road will also support access for maintenance and emergency equipment which may be required for stand improvement, forestry activities to promote the conservation goals of the Goodwill Conservation Area, or for public safety reasons .

In order to prevent unauthorized motorized access through the Access Easement, a gate will be required at the boundary where the Road enters the Goodwill Conservation Area. Signage will be necessary at the parking area to notify users that motorized access on the Road is prohibited. Should such measures prove insufficient to prevent unauthorized use of the Road, it may be necessary to undertake additional measures. These may include:

- police patrols and ticketing
- physical barriers to block unauthorized access

## **B. Infrastructure Development**

### **i. Parking**

- A parking area may be constructed in the location described above in Section 3.A and as shown in the Easement Plan.
- The parking area will be built to Town standards for such a parking facility and finished with gravel to provide a permeable surface for drainage.
- The area will be delineated from the remainder of the lower field as needed to prevent parking in unauthorized areas (adjacent to the parking area).

### **ii. Road/Trail**

- The Forest Road will be built as described above in Section 3.A and as shown in the Easement Plan.
- Construction will require the cutting/removal of the invasive species along the boundary with the Hashem Property and will be planned to allow mowing operations to keep future invasive growth in check.

- Road width will be limited to 12 feet in width except near the parking area where additional turning clearance will be required.

### **iii. Signage**

The Town will allow and promote public recreational use of the Panish-Hall Access to the extent allowed by the conservation easement and so that the adverse physical and social impacts from public use are reasonably mitigated. When public recreational use must be controlled to prevent misuse and overuse, it is best to do so by education. To that end signage will be the primary means of informing users on proper use of the access and conservation areas. In the event this proves insufficient to prevent misuse of the Property, additional measures, potentially including limitation of access, will be considered.

A kiosk shall be constructed in the vicinity of the parking area at the beginning of the Road, and may contain maps, registration materials, and other information regarding the Goodwill Conservation Area. Additionally, the kiosk shall contain signage stating guidelines for public usage of the conserved land including the following points:

- Permit public daytime pedestrian, equestrian, wheelchair, and non-motorized bicycle use of the Road designated for public access.
- Limit public access to use of the Road and declare the remainder of the Property to be closed to public access (this should also be delineated on any map of the area).
- Prohibit the use of motorized vehicles outside of the parking area.
- Encourage the public to be responsible and sensitive to the conservation values of the surrounding areas, as well as the Landowner's and adjacent property owners rights to quiet use and enjoyment of their properties.
- Encourage users of the access to minimize their impact on the paths and the Property itself.
- Prohibit levels or types of use that are noisy or destructive of the tranquility of the Property and its surroundings.
- Prohibit any use (or threat of use) that creates or may create a safety hazard.
- Prohibit vandalism, damage to, or littering on the Property.
- Users of the Forest Road Access Area shall leash all accompanying dogs.
- Prohibit use of the Access Area and access onto the Property of licensees, invitees, and customers of commercial enterprises in furtherance of commercial activities.
- Prohibit any nighttime use of the Road and nighttime public access onto the Property without prior written permission of the Landowner.
- An explanation of allowed hunting practices in the Goodwill Conservation Area, specifically regarding the use of hunt stands, their installation and removal.

### **iv. Gates and Fences**

As stated above, it will be necessary to install a gate at the boundary between the Panish-Hall Access Easement and the Haley Property entrance to the Goodwill Conservation Area. The gate shall allow for non-motorized access while remaining closed to motorized vehicle use. Forestry or maintenance operations would allow the

gate to be unlocked and open, and would be conducted at the discretion of the Town or Conservation Commission..

Public access on the Property is limited to use of the designated parking area and the Road. Incursions onto the Property (or the Hashem driveway) beyond the allowed public access would be a violation of the terms of the Access Easement. Should such incursions become a problem it may be necessary to enforce these boundaries with a physical barrier such as a fence. In this case, it would be the responsibility of the Town to install such a barrier.

It shall be the responsibility of the Landowner to notify the Town when problems exist. If such problems are ongoing, the decision to install a barrier will be negotiated between the Landowner and the Town.

### **C. Maintenance**

It is the Town's responsibility to maintain the areas used by the public, as well as any associated infrastructure, in a manner consistent with the goals of the conservation easement. The Landowner shall make reasonable efforts to keep the public access areas mowed and clear of litter.

Should littering become a problem beyond the means of the Landowner to address, it will be the responsibility of the Town to provide an unobtrusive trash receptacle (dumpsters shall not be allowed), collection service, and assistance with cleanup in the affected areas.

### **D. Remedies**

Should public nuisance, access violations, or vandalism, become problematic, it shall be the responsibility of the Landowner to notify the Town. In the case of such issues, the Landowner and Town shall consider, among other remedies:

- reconstructing or further improving or delineating paths;
- increasing law enforcement patrols;
- patrols by volunteers;
- limiting days and hours of use;
- limiting seasons of use;
- educating users with additional literature, signs, and other information;
- blocking or chaining access points; and
- temporarily or indefinitely closing the paths and curtailing or limiting public access to the Property.

IN WITNESS WHEREOF, I (We) have hereunto set my (our) hand(s) this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Paul W. Panish, Trustee

\_\_\_\_\_  
Stephanie M. Hall, Trustee

The State of \_\_\_\_\_

County of \_\_\_\_\_

Personally appeared \_\_\_\_\_ and

\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,

20\_\_\_\_, and acknowledged the foregoing to be his/her/their voluntary act and deed.

Before me, \_\_\_\_\_

Justice of the Peace/Notary Public

My commission expires: \_\_\_\_\_

ACCEPTED: TOWN OF BARRINGTON CONSERVATION COMMISSION

By: \_\_\_\_\_

Title: \_\_\_\_\_  
Duly Authorized

Date: \_\_\_\_\_

The State of New Hampshire

County of \_\_\_\_\_

Personally appeared \_\_\_\_\_  
Print Name & Title

of the Town of Barrington Conservation Commission, this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_, and acknowledged the foregoing on behalf of the

Town of Barrington Conservation Commission.

Before me, \_\_\_\_\_  
Justice of the Peace/Notary Public

My commission expires: \_\_\_\_\_

ACCEPTED: TOWN OF BARRINGTON BOARD OF SELECTMEN

By: \_\_\_\_\_

Title: \_\_\_\_\_  
Duly Authorized

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_  
Duly Authorized

Date: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_  
Duly Authorized

Date: \_\_\_\_\_

The State of New Hampshire  
County of \_\_\_\_\_

Personally appeared \_\_\_\_\_  
Print Name & Title

of the Town of Barrington Board of Selectmen, this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_, and acknowledged the foregoing on behalf of the  
Town of Barrington Board of Selectmen.

Before me, \_\_\_\_\_  
Justice of the Peace/Notary Public

My commission expires: \_\_\_\_\_



The State of New Hampshire  
County of \_\_\_\_\_

Personally appeared \_\_\_\_\_  
Print Name & Title

of the Town of Barrington Board of Selectmen, this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, and acknowledged the foregoing on behalf of the Town of  
\_\_\_\_\_ Board of Selectmen.

Before me, \_\_\_\_\_  
Justice of the Peace/Notary Public

My commission expires: \_\_\_\_\_

The State of New Hampshire  
County of \_\_\_\_\_

Personally appeared \_\_\_\_\_  
Print Name & Title

of the Town of Barrington Board of Selectmen, this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_, and acknowledged the foregoing on behalf of the Town of  
\_\_\_\_\_ Board of Selectmen.

Before me, \_\_\_\_\_  
Justice of the Peace/Notary Public

My commission expires: \_\_\_\_\_

### A. Panish-Hall Easement Plan

As recorded in the Strafford County Registry of Deeds as Plan # 12273, prepared by Eric C. Mitchell & Assoc. Inc.

